

1 KAMALA D. HARRIS  
Attorney General of California  
2 ARTHUR D. TAGGART

3 Supervising Deputy Attorney General  
GEOFFREY S. ALLEN  
4 Deputy Attorney General  
State Bar No. 193338  
1300 I Street, Suite 125  
5 P.O. Box 944255  
Sacramento, CA 94244-2550  
6 Telephone: (916) 324-5341  
Facsimile: (916) 327-8643  
7 *Attorneys for Complainant*

8 **BEFORE THE**  
9 **BOARD OF REGISTERED NURSING**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No.

2011-843

12 **LI HONG LIN, AKA**  
13 **LIHONG LIN**  
14 **5862 E. Balch Avenue**  
**Fresno, CA 93727**  
**Registered Nurse License No. 672333**

**ACCUSATION**

15 Respondent.

16  
17 Complainant alleges:

18 **PARTIES**

19 1. Louise R. Bailey, M.Ed., RN ("Complainant") brings this Accusation solely in her  
20 official capacity as the Executive Officer of the Board of Registered Nursing ("Board"),  
21 Department of Consumer Affairs.

22 **Registered Nurse License**

23 2. On or about January 24, 2006, the Board issued Registered Nurse License Number  
24 672333 to Li Hong Lin, also known as Lihong Lin ("Respondent"). The registered nurse license  
25 was in full force and effect at all times relevant to the charges brought herein and will expire on  
26 November 30, 2011, unless renewed.

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4. Code section 2764 provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license. Under Code section 2811, subdivision (b), the Board may renew an expired license at any time within eight years after the expiration.

The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

(1) Incompetence, or gross negligence in carrying out usual certified or licensed nursing functions.

As used in Section 2761 of the code, 'gross negligence' includes an extreme departure from the standard of care which, under similar circumstances, would have ordinarily been exercised by a competent registered nurse. Such an extreme departure means the repeated failure to provide nursing care as required or failure to provide care or to exercise ordinary precaution in a single situation which the nurse knew, or should have known, could have jeopardized the client's health or life.

As used in Section 2761 of the code, 'incompetence' means the lack of possession of or the failure to exercise that degree of learning, skill, care and experience ordinarily possessed and exercised by a competent registered nurse as described in Section 1443.5.

8. Code section 125.3 provides, in pertinent part, that the Board may request the administrative law judge to direct a licensee found to have committed a violation or violations of

1 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
2 enforcement of the case.

3 **FIRST CAUSE FOR DISCIPLINE**

4 **(Gross Negligence)**

5 9. Respondent is subject to discipline pursuant to Code section 2761, subdivision (a)(1),  
6 on the grounds of unprofessional conduct, in that while on duty as a registered nurse at Coalinga  
7 Regional Medical Center, Coalinga, California, and caring for two patients in the same room,  
8 Respondent committed acts which were extreme departures from the standard of care and  
9 constituted gross negligence as defined in California Code of Regulations, title 16, section 1442.  
10 Respondent, by her own admission, used a single dose saline syringe to flush the IV lines of  
11 Patient B and then Patient A, thus placing Patient A at risk for blood-borne illnesses such as HIV,  
12 hepatitis B and/or hepatitis C.

13 **SECOND CAUSE FOR DISCIPLINE**

14 **(Incompetence)**

15 10. Respondent is subject to discipline pursuant to Code section 2761, subdivision (a)(1),  
16 on the grounds of unprofessional conduct, in that Respondent committed acts that constitute  
17 incompetence as defined in California Code of Regulations, title 16, section 1443 as more  
18 particularly set forth in paragraph 9 above.

19 **THIRD CAUSE FOR DISCIPLINE**

20 **(Unprofessional Conduct)**

21 11. Respondent is subject to discipline pursuant to Code section 2761, subdivision (a), on  
22 the grounds of unprofessional conduct, as more particularly set forth in paragraph 9 above.


23 **PRAYER**

24 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,  
25 and that following the hearing, the Board of Registered Nursing issue a decision:

26 1. Revoking or suspending Registered Nurse License Number 672333, issued to Li  
27 Hong Lin, also known as Lihong Lin;  
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- 1           2.    Ordering Li Hong Lin, also known as Lihong Lin to pay the Board of Registered  
2   Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to  
3   Business and Professions Code section 125.3; and,  
4           3.    Taking such other and further action as deemed necessary and proper.

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7   DATED:   4/13/11

  
LOUISE R. BAILEY, M.ED., RN  
Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California  
Complainant